

**BOARD OF REGISTRATION IN PHARMACY
MEETING MINUTES
TUESDAY DECEMBER 11, 2007
239 CAUSEWAY STREET
SECOND FLOOR, ROOM 206
BOSTON, MA 02114**

Present: James DeVita, R.Ph., Karen Ryle, R.Ph., M.S., George Cayer, R.Ph., Sophia Pasedis, R.Ph., Pharm.D., William Gouveia, R.Ph., M.S., Steven Budish, Public Member, Joel Berman, R.Ph., Kathy Fabiszewski, Ph.D., R.N., Donald Accetta, M.D., Michael Tocco, R.Ph., M.Ed.

Absent: Marilyn Barron, MSW, Public Member

Staff: James D. Coffey, R.Ph., Dir., Margaret C. Cittadino, Assoc. Dir., Susan Manning, Counsel, Leo McKenna, R.Ph., Pharm.D., CQI Surveyor, Carolyn Reid, Adm. Asst., James Emery, Inv., Samuel Penta, R.Ph., Inv., Cheryl Lathum, Inv.

1. 8:30 a.m. Pres. DeVita called meeting to order.
2. 8:35 a.m. Review of Board Minutes
3. 8:40 a.m. Pharmacy/Pharmacy Dept. Applications

New Pharmacy/Pharmacy Department

Walgreens Pharmacy #11363 – Proposed: 874 Purchase St., New Bedford

Change of Manager

CuraScript Infusion Pharmacy, Byfield (Pharmacy Reg. No. 3434)

CVS Pharmacy #130, Arlington (Pharmacy Reg. No. 2535)

CVS Pharmacy #307, Lexington (Pharmacy Reg. No. 22189)

CVS Pharmacy #471, Dorchester (Pharmacy Reg. No. 3556)

(DeVita and Tocco recused all CVS above)

K-Mart Pharmacy #7155, Fairhaven (Pharmacy Reg. No. 2233)

Rite-Aid Pharmacy #10134, Ipswich (Pharmacy Reg. No. 2398)

The Whittier Pharmacist, Inc., Haverhill (Pharmacy Reg. No. 3055)

Walgreens Pharmacy #2781, Norton (Pharmacy Reg. No. 3468)

Walgreens Pharmacy #4729, Norwood (Pharmacy Reg. No. 2878)

Walgreens Pharmacy #5755, Stoughton (Pharmacy Reg. No. 1368)

Wal-Mart Pharmacy 10-2903, Chelmsford (Pharmacy Reg. No. 2966)

Motion/Ryle - approve all applications. Second/Gouveia. All in favor.

4. 8:45 a.m. Updates - Dir. Coffey

a) Review DRAFT Joint Policy and Guidelines 2007-01: DPH,
Drug Control Program and Board of Registration in Pharmacy –
Issuance of Multiple Prescriptions for Schedule II Controlled Substances
(DEA Regulation 21 CFR 1306; effective December 19, 2007.
Motion/Cayer to adopt. Second/Tocco. All in favor.

b) MassHealth meeting re: Standard for Tamper Resistant Prescriptions

c) Pharmacy Renewals: 12/31/2007

5. 8:55 a.m. Election of Board Officers

President: Sophia Pasedis
President: Elect: Joel Berman
Secretary: Steven Budish

6. 9:05 a.m. Report of Office of Investigations

File Review – Investigators Penta, Emery, and Lathum

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|---|---------------------------|--------------------------|
| 1 | SA DS 08 052 | Advisory Letter |
| 2 | DS 07 065 | Dismissed |
| 3 | DS 08 022 SA DS 08 017 | Investigative Conference |
| 4 | PH 08 012 | Dismissed |
| 5 | DS 08 013 | Investigative Conference |
| 6 | DS 08 023 PH 08 028 | Investigative Conference |

7. 10:30 a.m. CVS/pharmacy Presentation: Work-Flow processing/Staffing
William Irvin, R.Ph., Director, Regulatory Compliance
Recused and exited meeting room: DeVita and Tocco

Bill Irvin described work-flow processing tools used by CVS/pharmacy to
determine staffing for CVS pharmacies in the Commonwealth.

8. 11:00 a.m. Investigative Conference - Docket No.SA-DS-07-087

In the matter of Berkshire Medical Center and Keith Preston, R.Ph.
(No. 24750) and Melissa L. Kennedy (Pharmacy Technician Reg. No. 6338)

Complaint alleged Pharmacy dispensed/delivered three Morphine Sulfate 10mg/ml 30ml cassettes rather than three Fentanyl/Bupivacaine epidural cassettes 50ml to nursing unit for floor stock on January 15, 2007.

Present: Preston, David Rosenberg, Esq.

CEs: Compliant

Motion/Budish take matter under advisement. Second/Gouveia. All in favor.

9. 11:30 a.m. Report of Office of General Counsel

Pending legal matters - Susan Manning, Board Counsel

11:30 a.m. Motion/Pasedis – enter closed session (G.L. c. 112, s. 65C and c. 30A, s. 11A). Second/Budish. All in favor.

11:50 a.m. Motion/Pasedis to return to Open Session. Second/DeVita. All in favor.

- a) In the matter of Monty Schwartz, R.Ph. – Docket No. PH-07-063.
Tocco recused (exited meeting room).

Review and discussion of *Proposed Final Decision and Order by Default*.

Motion/DeVita to adopt *Proposed Final Decision and Order by Default* and issue *Final Decision and Order by Default* revoking pharmacist license no. 14670. Second/Cayer. All in favor.

- b) Matter of Pharmacy Technician applicant - Pedro L. Rosa.
Review of additional information received and not provided by applicant regarding Question no. 10 on application.

Motion/DeVita - deny application; may reapply in one year.
Second/Cayer. All in favor.

- c) Matter of Pharmacy Technician applicant - Steven A. Kramer.
Review and discussion related to good moral character disclosure.
Board staff advised to confer with applicant to gather additional background information.

10. 11:55 a.m. - Application Conference

Matter of Pharmacy Technician Applicant - Jeffrey B. Buck.

11:55 a.m. Motion/Budish – enter closed session (G.L. c. 112, s. 65C and c. 30A, s. 11A). Second/Pasedis. All in favor.

11:50 a.m. Motion/Ryle to return to Open Session. Second/Cayer. All in favor

Motion/DeVita to take matter under advisement, pending review of a sessment results. Second/Gouveia. All in favor.

11. 12:10 p.m. Application Conference
Pharmacy Technician Applicant - Lincoln Redley
Motion/Cayer to approve application. Second/Ryle. All in favor, except Abstain: Tocco, DeVita.
12. New Business
- a) Pharmacist Technician Registration applicant - Melvin S. Faris
Motion/Cayer to approve application. Second/Budish. All in favor.
 - b) Pharmacist Reciprocal Licensure applicant - Joy P. Alonzo
Motion/Cayer to approve application. Second/Pasedis. All in favor.
 - c) Pharmacist Licensure applicant - Michael S. Ehle
Motion/Ryle - approve 754 internship hrs. Second/Pasedis. All in favor.
 - d) Patricia L. Kaufmann, R.Ph. (No. 17090) – probation termination request.
Motion/DeVita - terminate probation. Second/Cayer. All in favor.
 - e) Pharmacy Internship Registration applicant - Kerry A. Jannetta-Dias.
Motion/DeVita - approve application. Second/Cayer. In Favor: DeVita, Cayer, Ryle, Gouveia, Barron, Budish, Berman, Fabiszewski, Accetta, Tocco. Opposed: Pasedis.
 - f) Pharmacist Licensure applicant - Haytham M. Elsayed Omar
Motion/Pasedis - accept 1000 internship hrs. completed prior to November 15, 2007; with 500 addl. hours to be completed after this date.
Second/Gouveia. In Favor: DeVita, Ryle, Cayer, Pasedis, Gouveia, Barron, Berman, Fabiszewski, Accetta, Budish. Opposed: Tocco.
 - g) Michael E. Pieroni, R.Ph. (No. 21622)
Motion/DeVita - approve waiver. Second/Berman. All in favor.
 - h) Pharmacist Reciprocal Licensure applicant - Anhdao A. Nguyen.
Motion/Budish - approve application. Second/Barron. All in favor.

Old Business

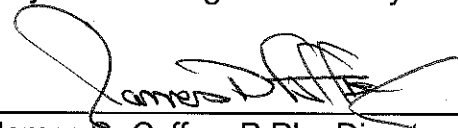
Pharmacist Licensure applicant - Lawrence B. Goldstein.

Request for reconsideration related to pharmacy internship.

Motion/DeVita - complete 1500 internship hours, pass NAPLEX and MPJE.

13. 1:00 p.m. – Motion/DeVita to adjourn meeting. Second/Ryle. All in favor.

Respectfully submitted by:



James D. Coffey, R.Ph., Director

Date: 5/14/08

Reviewed by counsel: March 31, 2008

Draft approved: March 31, 2008

Board approved: May 13, 2008

**BOARD OF REGISTRATION IN PHARMACY
ADJUDICATORY SESSION MINUTES
TUESDAY, DECEMBER 11, 2007
239 CAUSEWAY STREET, ROOM 206
BOSTON, MASSACHUSETTS 02114**

11:30 a.m. Motion/Pasedis – enter closed session (G.L. c. 112, s. 65C and c. 30A, s. 11A). Second/Budish. All in favor.

- a) In the matter of Monty Schwartz, R.Ph. – Docket No. PH-07-063.
Tocco recused (exited meeting room).
Review and discussion of *Proposed Final Decision and Order by Default*.
- b) Matter of Pharmacy Technician applicant - Pedro L. Rosa.
Review of additional information received and not provided by applicant regarding Question no. D(3) on application.
- c) Matter of Pharmacy Technician applicant - Steven A. Kramer.
Review of additional information related to application for pharmacy technician registration.

11:50 a.m. Motion/Pasedis to return to Open Session. Second/DeVita.
All in favor.

11:55 a.m. Motion/Budish – enter closed session (G.L. c. 112, s. 65C and c. 30A, s. 11A). Second/Pasedis. All in favor.

11:55 a.m. - Application Conference
Matter of Pharmacy Technician Applicant - Jeffrey B. Buck.

11:50 a.m. Motion/Ryle to return to Open Session. Second/Cayer.
All in favor